DEPARTMENT OF STATE

THANS SUPPLY DECKNOOND PRESS AND RADIO NEWS BRIEFING.
SURDAY, CUTOBER 65, 1962. 1:04 p.m.

SECRETARY RUSK: First I would like to make a few comments OFF THE NEODED and then go into deep BACK-SHOUNG for mo attribution to any official source.

The OFF THE RECOMD part has to do with this probler, that there is many a slip between the one and the lip. You remember we had—well, you don't remember, but 16. hasn't been sade public yet, but on Orbyber 26 we had a message from Khrushober that pointed in the same direction as the message broadcast today. Then overnight there was a public broadcast, you remember, that injected Turkey into this bituation.

Now today we have had another public broadcast of a message, which seems to in effect open up the same prospect for a settlement that was contained in the October 26th message. Now, there are a lot of things between where we are now and getting this thing recolved, just a lot of things, and I will go into some of those on a BACKGROUND basis.

Ent obviously people in the Frenlin have been very much concerned about what their course of conduct was going DEFARMENT OF STATE AUGULAR to be. REVIEWED by A MARKET DATE AUGULAR

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I do think that the press has a special profiles here in the mext day or so in terms of not throwing this thing off the track as far as Moscow is concerned. If there is a debate, a rivalry, a contest point on in the Krenlin over how to play this situation, we don't want the wort "capitulation" or we don't want gloating at this moment until for the next couple of days to strengthen the hands of those in Moscow who wanted to play this snother way.

Now, this is a problem thapke have and therefore it's a problem I think that you share with us. Because there has undoubtedly been a serious debate in the Kremlin over that to do about it. I mentioned in my last backgrounder with you that this appearently had eaught them moments off timing as it had come earlier than they had expected, than they wanted. So when I go into this BACKGROUND modey I want to caution you about the move, because this own make a difference in what Moseow does.

Now let's go into MACKERDUND and I will go on



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The following is for use in connection with briefing officials of Governments to which accredited and in briefing the press. There should, however, particularly in briefing the press, be NO ATTRIBUTE ! TO OFFICIAL SOURCE.

[Continued on page A-2]

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The first thing I'd like to say is that we should not, on the basis of this public broadcast today, think that the problem is solved. The President has indicated this is a constructive step toward peace. He has welcomed this statement. But Kuznetsov is on his way to the UN. We don't know what's in his briefcase. And, after all, there are six million Cubans and not just a few thousand Russians who are mixed up in this situation.

Castro broadcast today in somewhat elliptical terms, somewhat less than categoric terms, that he was going to throw Guantanamo into this discussion. Well, if anyone thinks Turkey is complicated, just let him throw Guantanamo into this.

You have got some problems of verification.

Mr. Khrushchev in his statement indicated he is prepared
to accept UN supervision. How you can do this without exposing them to things they are not going to reveal, and we
wouldn't reveal, in terms of the close-up aspects of some
of this equipment, is a little tricky. So there are just
lots of things to be worked out before this ship is in dock.

Now, you see, I am trying to draw a distinction between a positive reaction to the Moscow broadcast on the one side, a positive reaction to that. We shouldn't reflect any impression that Washington is reserved about that.

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But there are some other things that still remain to all done before this matter is wound up. And we are not underestimating the possible difficulties of actually putting the key phrases of this statement into action or effect.

So that is the first point I wanted to make. It's in terms of mercurial temper. It is not yet the time to say this is over. This is over.

Now, also in our response to the October 25 message, we indicated the elements of what we consider to be the basis of a settlement of these offensive weapons. The other side is concerned about the invasion of Cuba. Well, it was the presence of these weapons that precipitated that problem. That does not mean, for example, that the general security commitments of the United Status and other countries in this Hemisphere under the Pio Fact with respect to security of the Hemisphere is in any way changed by any agreement or any settlement which had been reached to this matter of offensive weapons in Status.

In the background there are some troublessme probless about what might be called indirect aggression. And these are matters of great concern to all the nations of this Hemisphere. So that when wetalk about working with U Thant to bring about conditions of peace in the Caribbean area, this involves a good many reciprocal things. This is not a guarantee of Cuba's right to interv in the internal affairs of other American states.

What we have said to the Soviet Union in response to their October 26 letter in a sense has been public. In other words, there are no deals. This is the kind of question that will come up in Berlin, come up in Turkey, come up in other places where there are any deals. There are no deals. So I hope that that suspicion won't grow and won't tend to undermine our situation in other parts of the world.

Well. now. these are my preliminary comments. Perhaps I could develop it further in relation to your questions.

Q

Ves?

On the surface at least, because there doesn't seem to be much for Mr. Khrushchev/arrangement you talked about.

- Yes, there is, Elie.
- Could you explain that a little bit?
- In the words -- perhaps you're right ack this is why it's important not to be gloating, but Mr. Ahrushche knew from his intelligence certainly, and from what has been said to him, that the crisis for him was just as grave as I said it was for us the other day. In other words, he had some problems too, and no one knew better than he the

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Q

- A Yes, Elie?
- Q On the surface at least, because there doesn't seem to be much for Mr. Khrushchev in the arrangement you talked about--
 - A Yes, there is, Elie.
 - Q Could you explain that a little bit?
- A In the words--well, perhaps you're right, and this is why it's important not to be gloating, but Mr. Khrushchev knew from his intelligence certainly, and from what has been said to him, that the crisis for him was just as grave as I said it was for us the other day. In other words, he had some problems too, and no one 'new bet'ter than he the way this situation could ramify if it gets out of control, and he knew that we were utterly determined by these offensive weapons. So when you say he doesn't get anything out of it, now, I could embroider on that, but I won't.
- Q could you tell us how close we have got to the wire here on action and also whether we indicated to him in some way which has not yet been publicly made evident where--
- A I think we have got very close to the wire as far as Cuba is concerned. What that involves in other parts of the world I suppose only Mr. Khrushchev would know

But we got very close to the wire, and he knows it.

- Q To finish that question, sir, can you give us any amplification on how he knew how close we got to the wire?
- A No. I think his intelligence is good enough to know perfectly well how close to the wire we got.
- could you give us some of the evidence that we may yet not have that would help us to speculate, just as I imagine you and everyone else here is speculating, on what is happening in the Kremlin in the last 48 hours?
- A No, we don't really have any information on that. All we have is our own speculation.
 - Q Could we have the benefit of some of that?
- A No. No, I think you can speculate as well as I can on that at this moment, because we don't have any information that throws any light on that.
 - You have nothing other than--
- A I hope that maybe the other side or Mr. U

 Thant or somebody will make this October 26 letter public.

 We don't feel that we can because it was a private letter
 and we don't want ourselves to take the initiative in making such a letter public unless the other side itself wants
 to.

Q How about the choice of Mr. Kuznetsov? That is hopeful too, isn't it?

A In general. In general, I think this is significant. I mean there is a difference between Mr. Kuznetsov and Mr. Zorin. There is no question about mood, attitude, approach and things like that.

Q Still on the matter of speculation,

could you share with us some of your counsel as to how significant you feel Khrushchev's raising the point of inspection is? In other words, there is a great temptation to take that suggestion and go with it through disarmament and you get a--

A No. One thing that I would not do at all in this if I were you, and that is to draw any conclusions in this particular situation with respect to situations in other parts of the world or on other issues. In other words, I don't think his acceptance of supervision in Cuba in any sense means that he is prepared to accept inspection with respect to nuclear testing or anything or that sort. I'd limit conclusions to this pretty much to this Cuban situation. I mean, well, let me put it the other way. I would be very cautious about drawing too many conclusions about this and other situations. I don't believe this means we are not going to have a Berlin crisis, for example.

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- Have you formed a conclusion on why the Turky statement followed the private letter?
 - Why?
- On why the official statement was made in Moscow in respect to Turkey?
- I think that came about because of Walter Lippmann's column and Mr. Kreisky's public speech in Austria.
- Q What was the second statement? I didn't get 1t?
- Mr. Kreisky's public statement in Austria. in which he proposed some linkage between Turkey and Cuba.
 - What was the second fact?
- This is the matter on which the Turks are very sensitive.
- any evidence that missile construction has slowed down or anything was being-
- Well, Mr. Khrushchev said in his letter that he had given, he had issued, he has issued a new order on the dismantling of the weapons. Now, that, I mean, thinking of our own practice in some of these circumstances, that could have occurred five minutes before the Isssage was broadcast. So, no, we don't have too much on that at the moment.

didn't he say the same

thing in his Friday letter? Therefore, it is almost three days since he first made the statement.

No, he did not say he had issued such orders. so we won't be confused about

this spate of letters that have gone back and forth --

- Yes?
- Q Would you tell us what we said in that October 26 letter to Mr. Khrushchev?
 - A That was made public.
- Well, for those of us who don't know precisely what you were getting at earlier in talking about "We have made no deals, we have not agreed to invade Cuba under the circumstances"?
- I meant no deals about other questions in other parts of the world.
- Q Well, could you explain to us what we have agreed to about an invasion of Cuba, if anything?
 - Well. that was in the letter.
- Well, we have several points about it and some people hadn't actually seen the letter
 - Have you got a copy of the letter?
- MR. MANNING: The letter which has not been published is Mr. Khrushchev's letter.
 - Really?

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could you spell

out for us what assurances we have given?

- A They are in that letter.
- Q Well, could you explain then what you interpret them to be; for example, have we given an assurance only against invasion, or have we also given an assurance against anything emanating from US soil?

A The assurances are in the letter. I will stay with the letter.

Q In the letter, and also in the President's statement today, he referred to easing of tensions in other parts of the world, and a detente, for instance, over the confrontation of the Warsaw Pact powers and NATO. What specifically do we have in mind?

A Well, we do think very strongly that if
this question is resolved along the lines that are now
indicated it may be resolved, that we really ought to
turn our attention to disarmament very seriously. If there
has ever been an example of the need for some serious and
practical measures of disarmament, the last ten days has
given us that. And that is what is implicit there.

And the principal disarmament question has to do

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with the military confrontation of the Soviet bloc and NATO. I mean this is a problem in these bases that are talked about. Mr. Khrushchev is sitting there with hundreds of missiles looking down the throats of practically any country he wants to aim them at around his perhiphery. Now, NATO has to have its own military establishments to be able to face that situation, NATO, including the United States, including North America.

Now, there are some important disarmament possibilities. These we have tried to lay on in Geneva. We are prepared to make some very serious reductions in arms on both sides. But the issue of inspection has continued to bar the way. Whether this means that they too have had a chance to see how important it is to get on with it or whether they will be in any sense more forthcoming on things like inspection and verification, I don't know.

But there is always that possibility.

The key thing is here that we do think that if this is settled that we should really get to work on disarmament more soberly and seriously than we have ever been able to do so before on both sides.

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A Yes?

Q Have we received any assurances that we are going to get inspectors from the UN into Cuba, or are we willing to take it on the basis of aerial reconnaissance and not insist on inspectors?

A Well, the assurances, of course, will be utterly fundamental, utterly fundamental.

(Continued on page A-13)

- Q Have we received any?
- A Well, Mr. Khrushchev's message-- U Thant is now working on that. But U Thant's message talks about "under supervision of the United Nations."
 - Q Well, are we --
 - Q In that same connection,

how much concert is there between Castro and Khrushchev? Castro's demand now, including Guantanamo Base, has come up right at this juncture. Is this part of the Soviet package or what?

- A I would really hope you wouldn't make any point of this for the next two or three days anyhow, but at some stage, if this goes through, there's going to be question as to whether Castro is the same kind of Castro after this as he was before.
- Q Mr. Secretary, you've asked us to exercise --
- A I mean this is the kind of point that could make a difference. So play that one easy.
- Q You've asked us to exercise a certain restraint and responsibility in interpreting this action.
 - A Yes.
- Q And yet it seems orunial to the exercise of this that we know a little bit more about what our

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attitude toward the invasion of Cuba as part of an understanding or agreement with respect to this --

A Well, I don't quite see -- Open up your own mind. I don't quite see what the problem is there.

Q Well, the problem is: Have we foregone now --

as we were concerned was the introduction of offensive missiles into Cuba. Offensive weapons, not just missiles. Offensive weapons into Cuba.

United States according to Vice President Johnson is to get rid of Castro. I'm quoting. To "get rid of Castro."

So then the point is if we forego invasion does that mean that we would discourage any guarralla warfare, anything by other people?

A Well, we were not, as the President stated before-- We were not, before these offensive weapons came in there, undertaking an invasion of Cuba.

Continued on page B-1)

on the point of

- Q I'm sorry, sir. I didn't understand.
- A I say we were not involved in an invasion of Cuba before these offensive weapons came in there.

Now, invasion of Cuba is a very major, is a bloody affair, and it has all sorts of problems with it.

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- A But the commitment is as in the letter with respect to an invasion of Cuba.
- Q Could you clarify this perhaps,

 Is there any commitment beyond the precise phrasing of what is in the letter?
 - A No.
 - Is there any duplicate --
- A On either side. On either side. In other words, what was said in the letter does not in any sense affect the Rio Pact, for example, with respect to the security of the hemisphere.
- these offensive weapons into Guba we had quite a Curan problem on our hands. I would assume then from what you're saying that we still have that?
- A I think we'll still have a Cuban problem on our hands.
- what our responsibility now is in terms of permitting

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or not checking acts committed from the United States against Cuba, you would prefer to remain silent?

A Yes. I would.

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- I wonder --
- A I mean the commitments are in the letter, and there are no commitments that are not in the letter.
- Q Could you add a little something? You said the choice of Kuznetsov was significant. Does this bear on the dispute in the Kremlin as you speculate about it?
- A I really don't know enough about it, quite frankly. Tommy Thompson might be able to comment on that.

But Kuznetsov by and large is— I mean he pursues whatever the policy is. If the policy is hard, he pursues a hard policy. But in the details of method and demeanor and so forth he's a civilized man, and he's a man who I think is well chosen to try to work out a settlement.

Q

A By the way, I want to say again that we are reacting positively to this statement. We are moving on the basis that this statement is real.

The purpose of our answering Mr. Khrushchev's letter of October 26th instead of his broadcast speech or yesterday morning was to proceed on the assumption that this approach was the real approach.

would this be a true statement of fact: That Mr. Khrushchev's assurance that these missiles are being dismantled is not enough? That we must still have inspectors on the ground before we would go ahead with our part of the bargain?

A Well, he has said, ". . . and returned to the Seviet Union under United Nations supervision."

Now, this means to us -- This means United Nations presence on the ground to insure that this occurs.

- Q But until they are on the ground we're not withdrawing our blockade or anything of that sort?
- A Until we get UN arrangements, these present arrangements, of course, won't change.
- have you got any idea as to what sort of supervision --

A By the way, on the blockade, on the blockade this is not likely to become too much of a problem because of the location of ships.

That is, perhaps I ought to-- I'd be tempted to put that off the record, but I mean there are

no confrontations scheduled the next -- in the immediate future -- because of the location of ships.

Q The question about supervision. Wouldn't that entail some kind of technical personalities or people who know something about missiles who could get right on the bases and know --

A Well, there will be some technical people involved. But actually this is not really a problem ill or you in this room could do the gross kind of job of supervision that is required to be sure that missiles and their principal components are not together and that the sites are actually being dismantled and these things are being cratch for return.

I mean this doesn't require a nuclear physicist.

- Q Then choice of countries involved in the supervision is not important?
 - Is not particularly important.
- Q In the broadcasts I have heard from Radio Moscow there seemed to be the assumption that Khrushchev thought we would guarantee the security of the government of Cuba. Did you find anything like that?

A No, this was not in his message, and this is not involved.

Q Getting back to the dismantling, unless I missed it in the text, Mr.



Ehrushchev mentioned only missiles. What about intermediate range bombers which the President mentioned?

- A No. he did not just mention missiles.
- $\mathbf{Q} = \mathbf{r}^{2}\mathbf{m} \text{ sorry.} \quad \text{What about intermediate range}$ bombers and the possibility of submarines?
- A ". . . has issued a new order on the dismantling of the weapons which you describe as off susive and their orating and return to the Soviet Union."

We want to stay with this business of offensive weapons in the light of the earlier and categoric, explicit private assurances on the nature of weapons that were going into Cuba.

Q I simply raised the point because I was wondering what our approach would be to-- Would jt: be correct to assume that we would insist on the return of intermediate range bombers as well and any submarines if they were found?

A This is-- You see, offensive weapons, roughly speaking, are defined in the quarantine order. And those include bombers.

John?

I know that there is no mention of this in the exchange, but since the 5,000-some Soviet technicians have been sent to Cuba in connection with the training of Cubans to man these offensive weapons, how do we view this? Do we view this as something they have to take care of too, or is this a fuzzy point?

A Well, let's pick up a phrase in Mr. Khrushchev's speech:

stated, are in the hands of Soviet officers to take necessary measures for stopping the building of the projects and their dismantling and return to the Soviet Union."

These missiles are not in Cuban hands. Gubans are not being trained for these missiles. These are Soviet. These are Soviet.

Then --

A And I would suppose if the missiles go the accompanying personnel go with them. But it doesn't make any difference. I mean it's a --

Q Maybe the question was asked before I came in, but are we intending to put any kind of time limit on this?

- A Well, there will be a -- There will be some time limits developed in U Thant's own operations here in this matter. I mean if any snags develop, then we are right back where we were when I saw you people last.
- Q Well, if I could pursue that, within what range roughly are we --
- A I wouldn't want to speculate on that.

 It would be a matter of a very, very, very short period.
- considerable time for the components of the missile bases to be assembled. Could you speculate on how long it would take until they are completely removed?
 - A Well, they are mobile.
 - Q Not all of them.
- A I know, but the IRBMs are not far enough along to raise that problem.
- Q Does this mean then we would permit enough Soviet shipping in there to carry out the dismantling?
- A No, the shipping problem and the quarantine are all related to the United Nations arrangements.
- Oh, yes, sure. Sure, if they want to send ships in to take them out, I'm sure we wouldn't stand

in the way. (Laughter)

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what is the next --

A No, we have never blockeded outgoing

ships. (Laughter)

Q What is the next step in the negotiations with Mr. Kuznetsov?

A The next step is with U Thant. He's working on it today.

Q Whom are we designating to negotiate with Mr. Kuznetsov?

A With Mr. Kuznetsov?

Q Yes.

A Well, we'll have a coordinating committee. There are so many hundreds of details that are going to come up on this. We will have a couple of people here in Washington and one in New York to spend some time.

Q Is there a special role here, for example, for John McCloy?

A He has been sitting close-- He's took
sitting in with Adlai on all these talks. And
this is going to take 24-hour time on somebody's part.
But there will be an announcement on that sometime
in the next-- There will be an announcement on that in
the next day or so.

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if this operation

develops as it appears to be going, on the surface, would you want to look shead a bit and see where this leaves us vis-a-vis the Soviet Union?

Q Couldn't hear the question.

A Look shead a bit and see where this leaves us with the Soviet Union.

I'm a little reluctant to do that, because I don't want to appear, say, optimistic if optimism doesn't turn out to be justified.

But let me refer you back to a statement I made some weeks ago in which I said that Mr.

Khrushchev has his problems and I'd rather have our problems than Mr. Khrushchev's problems.

A I think if this works out this way -but I'm extremely reluctant to have us emphasize this
point until this thing is really pinned down -- I whink
this makes a whale of a difference to the total
situation.

question that was asked regarding what does Khrushchev get out of this, --

A Well, let's --

Q -- understandably behind the background --

A Well, put yourself in his position rather than your own and try to see what he gets out of it.

The first thing he gets out of it, he doesn't have a war, and that's a good deal.

Q But puclicly what does he have to show

A Well, I think quite frankly- I think we cught to go along with his thesis that he's exchanging these missiles for a commitment not to invade Cuba.

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A In other words, if he's willing to trade on that, let's let him have that, if that's what he needs at this point.

Q Are you saying, that:

he is a moderate and there are others in the Krenlin
who are advocating a stronger position on their
part?

A I wouldn't want to identify him specifically. I think there are differences of view in the Politboro. And I mean I still don't know, frankly, why the difference between the October 26th letter and the broadcast.

I must say I have speculated a little bit about whether this is related to the circumstances in which they at the Geneva disarmament conference

agreed on Friday to a declaration on war propaganda and on Tuesday completely reversed their position.

In other words. I think in this collegiate method of collegiate command that they have that there are undoubtedly differences of view just as we have here. (Laughter)

Klie?

- in choosing to draw the line where the President did Monday night and to confront them on the sea approaches to Cuba, we had more than just Cuba in mind? We were thinking of a broad range of confrontation in other places as well?
 - Yes, --
 - May I conclude the question?
 - Yes.
- I wonder if you would look ahead a little bit and try to give us some notion of how you see a possible settlement of this applying to Berlin or other possible situations?
- I'd rather do that in four or five Javs! time. I don't want myself to contribute, until we get this thing buttoned up. to undue optimism or speculation about what this might mean in other places.

I really think it would be wrong. Because the

power confrontation is different in other places.

I mean in this situation when you really got down to it, unless they were prepared to move somewhere else, there were limits on their capacity to move in Cuba.

Now, this created enormous problems for them as it did for us, because, as I indicated to you last time, the United States can't move unilaterally. We're too much involved in too many different situations. Whatever we do in one place is bound to have an effect in another place.

But I really -- I don't want to go into that part of it at this stage. Let's see whether this ship gets to the dock without tugs.

(communications to or from Mr. Khrushchev that we do not know about?

- A Well, there were communications leading up to the Ostober 26th letter.
 - Could you tell us something about those?
- A Well, there were— I don't believe the exchange of letters, for example, that came at the time of the first speeches have been made public. That is, the letter with which we gave them a copy of the President's speech of two weeks ago Monday, and

the letter which they gave us covering the speech that they made shortly thereafter.

And then we had communications about -- We have had several communications about such things as quarantine and position of shipping, things of that sort.

So there has been a good deal of traffic back and forth, but on the political matters I think those are pretty well known.

- Q Any verbal communications also?
- A (Shaking head negatively.)
- Q Were there any private letters in xd61tion to those we know about?
 - A Private letters?
 - Q Yes.
- A No, none except the kind I'm talking about. There were private communications.
 - Q Could

we just get the record straight even if you don't reel that you can go on and define what it is that was in these letters?

A Well, as far as these letters were concerned, they were, in effect, a digest of the speeches -- perhaps on both sides in somewhat more pointed terms.

No, I think I'd have to look back to see the communications. I wouldn't want to mislead you, but, on the other hand, I just don't have in mind at the moment everything that has been transacted.

Did you in advance of the receipt of the October 26th letter expect it to contain the

A Well, we had no intimation from the Soviet Union that it would have the content that it did. But we also knew from knowledge of the rew power situation, and so forth, that they had a let of thinking to do and they had to make some decisions.

This was one of the possibilities that they might some back with.

We were, I must say, very much interested in the nature of that October 26th letter.

- Q You weren't unduly depressed by the 26th letter?
- A We were not unduly depressed, no. That's right.
- Q Could you tell us a little bit,
 about what role Mr. Kohler has played in
 this situation? Has he seen Mr. Khrushchev any number
 of times since he presented his credentials?

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A I don't think so. I think that the Soviet Union has been a bit caught in the middle between China and India, but it's moving closer to China now than India in dealing with this.

I think it's entirely possible that the Chinese knew about this Cuban development and decided this 'ight not be a bad time to put the pressure on India.

But I would a little doubt that this was close collusion between the two on this point.

Q Admittedly, there are a lot of questions unanswered still, put knowing: what you do about the situation, why do you think Khrushchev has done what he did do?

A Well, I think he had to look at the course he was on and all of its cons; equences and had to weigh what the consequences might be and whith he knew was happening here in this country and made his decision.

there was no deadline, for example. Why did he pick this particular time?

A You see, we might be here tomorrow talking about the next message from Moscow. In other words, let's take it easy here for a day or two.

in view of your

words of caution earlier, I take it that you'd rather take a chance with Khrushchev than with someone else who might seize power? In other words, any change would be a change for the worse?

No, no, no. I wouldn't suggest that. Khrushchev is in a very strong position there, and he's certainly chairman of the board, and I think we have to assume that whatever Moscow does that he's on board with it.

And I don't know what the alternatives would be in the Soviet Union. They could be better or worse, but Mr. Khrushchev is bad enough, so let's --

Q You'd rather have him than take a chance

on a change?

a few days ago some of

us got the impression -- at least I did -- that you at that time felt Khrushchev was master of his house in the Kremlin. Now you seem to be less certain of that I take it from the comments today. Is there anything more than the Turkey swap proposal that gives us this feeling?

I think there is a little element of uncertainty that you could freely deduce from the

fact that such little as you know about the October 26th letter, then the broadcast speech next morning, then this broadcast speech today shows that they must not be all of one mind in Moscow.

Q and that's what we base this conversation today on, on this point?

A Yes. All right. Thank you very much, gentlemen.

MR. WHITE: The first part of this :as off the record, and the rest of it strict background, no attribution to official source.

(Whereupon, at 1:44 p.m., the briefing was closed.)